Revenue

1933

App F IX 4

1933.

File No 92-35

Previous References (mc)
mc 1-27 9, 28, 28

Serial Nos 5
1-4

Later References
mc 15-7-33 1, 2 5-20/0
42-46-8
LLH 13-8-33 57

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for Oct 33

SUBJECT

City municipal Election Rules

pl 5 to me compiler, myrnegyette
mc 2150 dated 18 9 33
forwards the election rules under
the myrne city municipalities Regulations
1933

for
8/11/33

62/

Note on the revision of the rules for regulating the election of municipal Councillors in City municipalities in the State

** ** C *** *

The existing rules were prescribed in notification No 6435/11 175-26-2 dated the 15th March 1927 as amended from time to time The provisions in the new city municipalities Regulation which will come into force from the 1st August 1933 require the rules to be revised in conformity with those provisions. This opportunity is taken to revise the rules also in respect of certain other matters and a draft is submitted for consideration

viz, omission of the qualifications of voters extension of the period of summary revision of voters lists Deposit to be made by candidates for election

2 The chief modifications proposed below are for consideration and orders.

Rules 2 3 and 4 and 5 - In these rules proposed to divide the municipal area into wards for the purpose of returning Councillors from general and special constituencies and to fix the number to be so elected from these Constituencies

the manner of commerce
the Bangalore City
and the Merchants' Association in the
opinion city Return
manner to the
Government in
relation to members
returned by the
General Urban
Constituencies
Bangalore City
Bangalore is treated as
separate constituency
and Laws in Kannada
Revision of

Rule 7 - The qualifications of voters neral constituencies have been fixed

Rule 8 - The qualifications of voters in pecial constituencies have been laid down

Rule 14 - For the purpo e of Section 11 of the Regulation, the municipal council is empowered to amend the election roll under clauses (b) and (c) of that section

Rules 17 to 20 - These rules are similar to tho e found in the District Board election rules They have been adopted for the minor and town municipal councils also Uniformity i ob erved by making them identical as in the rules referred t above Nomination of candidates has been done away with and provision has been made for a deposit of Rs 100 by each candidate standing for election to the municipal council Provi ion has been made for the refund and forfeiture of the deposit

Rule 23 - Provision has been made for giving facilities to purdah women to come and vote during election

Rules 30 and 31 - It is not necessary to recognise any agents of candidates and allow them to enter the ante-room of the polling booth Similarly no attendant is allowed to accompany the voter The polling officer is allowed to if desired by the voter, to mark the vote on the voting paper and to put it into the voting box In the case of other voters the voters themselves may fold the voting paper and put it into the ballot box without any assistance from the polling officer

3 The other rules are altered in conformity with the above proposals made and the changes are all of a minor character

4 Under section 228 (4) of the City Municipalities Regulation, these rules have to be previously published The question as to how many days should be allowed

allowed calling for objections etc , before they can be finally approved ie for consideration

Sd/- RS
21/7/33

5 One of the changes introduced in the Draft rules is for the enfranchisement of Associations as Special Constituencies to enable such Associations as the Chamber of Commerce Bangalore & the Merchant Association Mysore to return members to the Council. In adopting the D.C.B.D Election Rules for this purpose it is perhaps necessary to adopt the conditions laid down in Rules 2-4 of those rules for the enfranchisement of the Associations Rule 3 of the Draft rules does not include those conditions and there is no objection to it.

Please see Rule 7 of the B.D. Election Rules

6 The Draft rules are for consideration they require previous publication before finally issuing them. After approval, the rules may be published in the Gazette & a fortnight's time allowed for sending objections if any.

22 8(6) of the Cy Municipalities Act

7 The Law Secretary may be consulted regarding the proposed rules.

Chief Secy
Sd/-
A 29/7

Sm 29/7

5470/33 P

Asst Secy to Govt Secy may be consulted

A yes RJ 1/8/33

SLD

Serial No

Q The main feature of the rules is the division of the Constituencies into General and special, as in the election rules under the Dt Bd Regn

Rule 5 requires the Voter's list to be prepared by the Returning officer even in cases of special constituencies - Usually in such cases, it is the Secy of the Association that is required to prepare such lists (Vide rule 7 of Dt Bd Rules) This rule may perhaps be modified as follows —

"A list of voters, showing the persons entitled to vote in each constituency, general or special, separately, shall be prepared, not less than four (or three) months prior to the date on which the term of office of the municipal councillors will expire In the case of a general constituency such list shall be prepared by the Returning officer and in the case of a special constituency by the Secretary of the Association in accordance with such instructions, if any, as may be issued from time to time by the Govt in this behalf and shall be submitted to the Returning Officer"

Rule 7(A) prescribing the qualifications of a voter in the general constituency, follows that prescribed in sec 12(c) of the old Regn - But instead of assessment to taxes other

RE—Contn Sheet

WD 70—GBPM—60 000—13 8 31

than octroi and toll being made the criterion, the new rules makes the liability primarily to pay such taxes as the test. I think it is better to make the fact of actual assessment the test than mere liability to pay. Just as octroi & tolls are excepted from the category of taxes for this purpose fees levied under sec 82 may also be excluded. A tax as defined includes a fee also, and the intention does not appear to be to give the franchise to persons who actually pay only taxes in the shape of fees under Sec 82.

(2 Rule 7 B) The language here also may preferably follow that of sec 12 of the old Regn. As drafted the rule is likely to give rise to difficulties since there is no indication as to how the six months period is to be computed and also the fact of "continuous residence" is many times not an easy one to determine. The rule may be put as follows —

"Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised has been resident in the municipality and "

General and Revenue Secretariat | File No | of 193

Serial No

13 Rule 7B (c) Six months residence is prescribed to qualify all the clauses of rule 7B. There is therefore no need to prescribe the period afresh in this clause relating to occupation of houses. The corrections made in the first portion of this clause may be omitted and the rule as typed may be approved —

Altered for 8/8/33

14 7B (c) The words "in the municipality" between "company" and "registered" may be omitted. It is not necessary that the Company or Corporation is to be in the municipality. A servant of a foreign corporation drawing a salary of Rs 50/ or above and residing in the municipality may be a voter —

omitted for 8/8/33

15 The new Regulation unlike that of 1906, does not prescribe any disqualification for being a voter. This has therefore to be done by rules, otherwise even a Criminal or a lunatic, if he has the qualifications under rule 7, can claim to be a voter. A new rule, on the lines of sec 10 of the 1906 Regn with necessary modifications, may be introduced and rules 7 and 8 must be made subject to that rule.

rule 9 for 8/8/33

16 Rule 27 may perhaps empower the

NOTE—Contn Sheet

WD 70—GBI M—60 000—13 8 31

547/33

City Municipal Council Election rules

File No 621 of 193

General and Revenue Secretariat

Polling officer also to remove the names of candidates withdrawing or dying before the poll and as a safeguard, it may be prescribed that the Polling officer may do this under the Returning officer's orders. (Vide rule 7(2) of the Election Rules under the old Regn)

Altered as per 8/8/33

17 All the other rules proposed are in order and may be approved

Asst Secy
With Compts

DSP 4/8/33

Please indicate against each rule suggested the alteration done as per Asst Secy's note 7/8

18 The draft rules have been modified in the light of the above suggestions

Submitted with reference to para 8 supra.

45
Law

Under Sec 298(4) of the Regn the rules require previous publication before final issue - reference para 6 supra

from 8/8/33

Chief Secy)

No 878
Rs 9/8/33

II No. Minute

Vide next page for further note, submitted separately, Asst Secy's Diary

Municipalities Election Rules

Serial No	
	21 In regard to the term "special Constituency" referred to in the draft election rules for city municipalities it is submitted that at present the Mysore Chamber of Commerce has been returned by election a member to the Bangalore city municipality. The power of so electing a member was given to this body in G.O. dated 25th April 1916 (Flag Q) so rules have been framed by the Govt. for electing the member under Sec 11(c) of the M.I. Regn of 1906 and the election is regulated by the bye-laws framed by the Chamber of Commerce - (vide bylaws 22 to 31 (pages 37 to 43 of the book) which are considered as an At any rate the members elected Councillor on the reconstituted limits of the Bangalore city municipality.
6119-47 Dy 25-4 A 33 137-153	1916
+ Flag C	
	22 In the case of Mysore city municipality, the Mysore Merchants Association has been given the privilege of electing a member who will be considered as a nominated member on the Council. There are no rules framed for the election of this member under the Municipal Rules of 1906. The Association elects a representative at a general meeting held for the purpose & submits the name to Govt.
Flag R G.O. 2597-8 dt 29-11-1912 Rl 1 27-28	
Flag R	

NOTE—Contn Sheet

WD 70—GDPM—60 000—13 8

City Municipality Election Rules 6 & 7

MC File No of 1933 — 34 General and Revenue Secretariat

together with a copy of the proceedings of the general meeting. The member is treated as a nominated Councillor in the Mysore city MC Act.

23 In the draft rules proposed under the new city Mcpl Regn, 1933 - it is suggested that the election of members by these Associations which are also registered under the Societies Registration Regulation 6 of 1927 and similar associations where may be enfranchised (be regulated by bringing them under the category of "Special Constituencies" for electoral purposes, as in the District Board Election Rules. When once this rule is instituted, it is very likely that very many Associations would apply for enfranchisement and membership - This has happened to in the past when several Associations applied for nominated membership on the Mysore city MC Act in the year 1930 (vide para 4 of the note on file no Mcpl 110-30 Vs 8 & 9 etc) There is already an application from the President, Kumchitigara Sangha, Mysore requesting for enfranchisement

If it is for orders if this term may be altered in the circumstances stated above or deleted If this is to be deleted, the Law section will be requested to suggest the exact form in which rules 2 to 5 & 8 may appear, having the term "the Constituencies" or "additional constituencies" in lieu of "Special Constituencies"

(vide Index for 1930 put up below)

4/8/33

General and Revenue Secretariat | File No of 193

Serial No

95 The Second Member said that he is not in favor of adopting the expression " Special constituencies " and that some other name may be suggested

96 From the note in para 21 above, it will be seen that the Chamber of Commerce, Bangalore, and the Merchants' Association, Mysore, are the only two bodies that have been so far allowed representation on the respective Municipal Councils The Chamber of Commerce elects a member to represent it on the Bangalore City Municipal Council in accordance with the rules framed by the Chamber for regulating such elections and the member is notified as an elected councillor The Mysore Merchants' Association recommends one of its members for nomination, by a resolution passed at a general meeting of the Association, and the member so recommended is nominated by Government There are no rules issued by Government for regulating election of councillors by such Associations or bodies

97 If nothing more than a regularisation of the present practice is intended there appears to be no need for laying down special rules for regulating elections by these Associations or bodies and it may be left to these bodies and others that may be recognised by Government for the purpose, to elect their representative according to their own rules of business at meetings convened for the purpose If this is approved it seems sufficient to substitute the following for rule 3 (3) of the draft rules and to add as

NOTE—Contn Sheet

WD 70—GBPM—60 000—13 8 31

with the classification of constituencies into general and special (or any other name)

"The Mysore Chamber of Commerce Bangalore the Merchants Association, Mysore, and such other Associations or public bodies as may be recognised by Government for the purpose shall also be entitled to elect a member to the Municipal Council concerned, in accordance with rules made in this behalf by such Associations or public bodies"

I prefer this alternative

A

As an alternative, the rule re- the election of a member by the Association may be omitted altogether from the rules and the necessary order issued under section 10 (2) of the Regulation The inclusion of the rule seems to be preferable, as that would obviate any doubt that may be felt by these bodies, at least for the time being, about their right to return a Councillor

1

RJ The Draft rules revised as above with the consequential changes are submitted for consideration

II Member) AM 15/8

30 In A [illegible] the Merchants Assn Mysore may be omitted as they do not enjoy the privilege of election vide G O 7 1927 The appl is regarded as one of nomination by Govt

Sent with reply letter no A1744 dated 8-8-33

Sd/ 15/8/33

RJ 15/8/33.

The Member said that other matters like settling rules & publication in the gazette parts & to be taken up at a later time for discussion may please put up then AM 15/8

City Municipal Election Rules

General and Revenue Secretariat | File No 62/1 of 193 | [App F III—2

Serial No	
3	The proof received is duly corrected & submitted for approval for 18/8/33 (Chief Secy) Addl 18/8
	33 for perusal before issue Dy No Member — Dewan. Dy 18/8/33 Addl 18/8
8/97 2/4	34 Spl 22/8/33 Addl 24/8
	35 Mun C 22/8/33
1	36 The Computer typewritten draft issue at once rules relating to the city municipal elections passed under objections sheet before 4th Septr 1933. 36 The election rules have been published in Part IV of the Supplement dated 24 8 33 (Pages 521 to 535) 37 An erratum notification in print up in respect of rule 5 (4) for approval for 25/8/33 37 Issue Addl 25/8 Issued No 2 1457 dy 25 8 33

NOTE—Contn Sheet

1—GBPM—60 000—13 8

1153

File No 92 of 1933-34 General and Revenue Secretariat

From Mr S G Mumtaz V P & R a meeting Chairperson
No 6972 Dt 2-9-33
makes certain suggestions in regard
to the draft City municipal Election Rules
from the President Mysore city M G C
No G 7 376 dated 3 9 33
suggests an amendment to rule
5-B-(2) of the draft City M Election
rules refd to above
3) The modifications suggested above
are indicated in a copy of the
draft rules herewith putrep

4) The modifications proposed are in
respect of rules 4 (1) (b) & (3), 5,
6 (4), 7, 11 (2), 12, 15, 22 & 25 (IV)

4) The publication of the "Voters" list 4
in words also is proposed At present
it is published in English & Kannada and
this is an additional language in
which it is recommended to be published
the electoral roll in the case of the
Representative Assembly is prepared either
in English or Kannada It is a point
for consideration in view of the existing
practice of preparing Voters' lists in City
& Town & in respect of the R a elections

Serial No

the rule maybe changed to include them
Jeeranthan in Nrdn also If so, ~~added~~
it would mean additional cost to the
Municipality Of it is so decided, it
will have to be restricted to Mahalas
wherein there is a preponderating
strength of Muslims

45 The inclusion of the term "Nrdn" in rule 4 (3) & 12 is a consequential amendment and the publication of notice of the date of holding elections etc may perhaps be done in Nrdn also

46 (c) Rule 5 The suggestions made in respect of this rule, other than those referred to hereafter are verbal and need not be accepted There would however be no harm in introducing the word "recognised" before "public body" and also "under the Act" "Association"

47 The proposal in respect of 5(B)(c) to substitute the words "for a period of not less than six months" was previously before Govt and it was given up as it would be difficult to compute the date of calculation

48 I think so

49 This is for orders The words do not appear in the old rules & do not appear to be necessary

50 The rule may perhaps remain as it is

51 The President, Hyderabad Municipality has also suggested to amend the clauses (1) & (2) of rule 5 (c) but may be accepted

52 Rules 6 (4) & 7 — The gentleman

53 What is suggested is the combination of the two clauses in one to avoid any doubt This may be accepted

NOTE—Contn Sheet

suggest a material alteration of rules so as to enable a person to have more than one vote in respect of the entire city. What he exactly means is not quite clear (vide his letter) but he seems to suggest that a voter shall be allowed to vote in more than one division. Plural votes are only allowed under the rules referred to in rule 6 and a man cannot, except under these conditions be allowed to have more than one vote. These rules are similar to those found in the Bom. M. Election Rules and also in the original previous Election Rules. There does not appear to be any necessity to accept the modifications proposed.

5b. It is not intended to go beyond the provisions of the old rules, and no change as proposed seems therefore to be necessary. [illegible]

5c. Rule 11 (2) - It has been held in Bom. M. Election Rules that there is no conflict between this rule & rule 14(1) & rule 31. Hence this may stand unless any modification

5d. No change is called for. [illegible]

5e. Rule 15 (1) - It is proposed to add a clause so as to enable a person whose candidature for municipal Councillorship has been rejected to appeal to Govt. The procedure does

Serial No

not exist in the old rules or in the Town MC Election Rules therefore it would unnecessarily put there is no such effect even with respect to the election proceedings & it is unnecessary to insert a rule as proposed

5 Rule 15 (4)- Publication of the list of candidates on the day of election- It is proposed to omit this rule as it is provided for under rule 21 (2) We considers that specimen voting papers which contain the names of the candidates as well as their symbols would be enough & that this is a repetition which may be avoided It is felt that there is some overlapping in the last clause of rule 15 (1), (3) & (4) hence it would not materially alter the position even if this sub rule is omitted as proposed

6 Rule 22— cancellation of candidature This rule is necessary to provide in cases or where it comes to the knowledge of the Returning or Polling Officer that just before the polling commences a candidate dies or withdraws his candidature Even in actual practice it is found that such withdrawals take place with a view to help a particular candi-

NOTE—Contn Sheet

City municipal Elections Rules 1933

1153

RL File No 92 of 1933-34 General and Revenue Secretariat

and these enabling rules, necessary. It was also in the RD Election rules & is in the form RL Election rules - Hence this rule maybe retained

6a Rule 15 (iv) what the gentleman exactly means is not clear by the proposed amendment. The rule as it is is all right

6b To sum up, the verbal alterations proposed in respect of rules 4 & 5(c) & d) & (e) need be accepted the other verbal changes in rule 5 need not be accepted Rules 6(4), 7, 11(2), 15(1) & 2, 23(iv), maybe retained as they stand

6c Subject to orders the last section may also be consulted in these cases

7/9/33 AV

6d Reference is invited to the marginal remarks against the several changes suggested

6e Barring Mr SG Muniaz of Chamapatna that has sent suggestions and no one from Bangalore or Mysore City has suggested any changes the presumption is perhaps that the people of the two cities think that the rules are generally allright

6f After orders are passed on the several heads raised above a revised draft for final publication will be sent

Chief Secy. 8/9

65 The rule maybe retained as it is found in the RD Election Rules & also in the RA Rules AV 8/9

...) Municipal Election 2,1153
1153 Rules

Issue M File No 92 of 1933-34 [App F III—2

Serial No 69

1- Urdu publicn not necessary —
2 No need to add registered addrs in Rule 5.
3 5-B e may remain except as regards Combination of cl (1) + (11)
4 Of an vote admissible to a Voter —
5 No change in rule 11 (2)
6 No need for an appeal to Govt in 15 (1)
7 15 (4) may go —
8 Rule 22 may remain

II No remarks — Dewan

RJ 11/9/33

I agree with the above

15/9

MD 17-9-33

Please put up draft notification at once, publishing the rules with the changes agreed

A draft notification submitted for approval 18/9

18/9/33 (Chief Secy) 18/9

20- The compiler may submit to Chief Secy in person No 2,153 dated the 18th Septr 33 as the Govt wish the rules for election of members to city municipalities in the State under the City Municipalities Regulation 1933 18/9

5

NOTE—Contn Sheet

Front Sec 21/9/33

B 18/9/33

C S M 11 SEP 1933 No 1153

W.D. No. BBM—500/6—13.8.3

File No of 193

General and Revenue
Secretariat

English, in the Mysore Gazette and copies thereof shall be affixed in the municipal office, ~~and in the office of the Amildar or the Deputy Amildar of the Taluk within which the municipality is situated~~

~~5~~ Qualification of voters. (general constituencies)

7 (5) The following persons, ~~whether of the male or female sex~~ who have completed 21 years of age, and who are not subject to the disqualifications specified in rule 8 shall be qualified to have their names entered in the list of voters, in the electoral roll, namely viz.,

(A) Every person who, for the preceding year was (primarily liable to pay) taxes other than octroi and toll imposed in the municipality for a sum not exceeding ~~two~~ five rupees a year

(B) Every person who for a period of not less than six months ~~next preceding the date on which the list of voters is required by the rules to be prepared or revised~~ has been ordinarily resident in the municipality and

(a) who was assessed in the previous year to income-tax, or

Every person who, for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised, has been resident of the Municipality and —

or

(b) who is a registered holder of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue at an amount not less than five rupees in the municipality, or

(c) who on the first day of July next preceding the date of publication of the revised electoral roll, occupied for the purpose of dwelling or for purpose of any trade, business or profession,

(i) a house or building,

(ii) part of a house or building which is separately assessed to a tax of five rupees a year, or

(d) who is in receipt of a pension of not less than Rs 15/- per annum from Government or from any public body or corporation or company registered, or

(e) who is a graduate of any University or

(f) who is an Advocate of the High

~~to elected in each division so that every division shall be adequately represented at election~~

~~(2) The divisions into which the minor municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned over the several divisions therein, shall be deemed to have been fixed and apportioned under sub rule (1)~~

~~(3) The Deputy Commissioner may subject to the orders issued by the Government alter from time to time the number and boundaries of the divisions and vary the number of councillors to be elected by each division.~~

5 (1) The returning officer shall, not less than four months prior to the date on which the term of office of the municipal councillors will expire, prepare a new list of voters ~~in respect of the general Constituency~~ for the municipal area by

Three months time seems to be ample This is the period fixed in the DMBA Rules

(2) If the municipality has been divided for electoral purposes into divisions, ~~or with such assumptions have been enfranchised under rule 3~~ shall show the persons entitled to

Court of Mysore, or

(g) who is a pleader holding a sannad from the High Court of Mysore, or

(h) who is a person upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore or

(i) Who is a Servant of the Government or of any public body or of any Corporation or Company in the municipal area registered under the Mysore Companies Regulation whose salary is not less than fifty rupees per mensem.

* may be omitted as per grant of the first key between

6 Qualifications for voters in special constituencies

~~Subject to the provisions of Sec 11, every~~

Every member of an association enfranchised by the Govt. ~~shall unless he is below~~ who is not less than 21 years of age shall be qualified to vote at an election of a member by the ~~Constituency of the Municipal Council~~ and whose name is entered in the list of voters as an elector.

and who is not subject to the disqualifications specified in rule 9 (a)

V 12

General disqualifications of Ptrs

(Added as per suggestion of the Law Deptt Asst Secy

Based on sec 10 of the Delhi Municipal Corporation Act 1957 sec 12 of the Punjab cities Municipalities Act, 1930.

9. No person may be elected as a Councillor or hold office as a Councillor who

(a) has been sentenced by a Criminal Court to imprisonment or transportation for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed or quashed, or

(b) is a person against whom an order has been passed under Sec 118 of the Code of Criminal Procedure, 1904 in proceedings instituted under sec 110 of that Code, such order not having been subsequently reversed or quashed or

(c) has been dismissed from municipal, District Board or Government service and debarred from being re-entitled to such service

(d) was a legal practitioner whose Sanad has been withdrawn by the ~~Chief Court~~ High Court or

(e) has been removed from office under sec 14 or

(f) is of unsound mind or

(g) is an undischarged insolvent

PTO

Provided that the disqualification
under sub-clause (b) will cease to
operate after the expiry of the
period during which the person
was ordered to furnish security
and the disqualification under sub-clauses
(a), (c) (d) and (e) will cease to
operate after the expiry of three
years from the date of such
sentence, dismissal, withdrawal
or removal as earlier by an order
of Govt.

L 1412/Laws 3 Ce 9,23/8/33

128 Bar

City Municipal Election Rules

Notification :-

The following Draft of the rules regulating the election of members to Municipal Councils in City Municipalities which the Government propose to make

In supersession of the existing rules on the subject and in exercise of the powers vested ~~in them by and~~ under ~~the provisions~~ sections 10, 11, and 128 (2) (b) of the Mysore City Municipalities Regulation, 1933 and all other powers in this behalf, ~~the following rules for electing the rules for election of members to municipal councils in City municipalities are made by the Government~~

republished, under Subsection (4) of Sec 228 of the Regulation, for the information of persons likely to be affected thereby and notice is hereby given that the Draft rules will be taken into consideration on or after the 4th September 1933 Any objection or suggestion which may be received from any person with respect to the proposed rules before the aforesaid date will be taken into Consideration

Ce 1

Definitions

In these rules

(1) "The Regulation" means the Mysore City Municipalities Regulation, 1933,

(2) "Returning officer" means the Municipal Commissioner if there be one for the Municipality or the President of the Municipal Council/in other cases concerned

Ce 1

To

[illegible]

2

Divisions and elective councillors

2 (1) The Municipal Council may, with the previous approval of Government, divide the Municipality for electoral purposes into as many divisions or Wards as may be necessary, the boundaries of which shall be clearly defined and when such ~~of the~~ division has been made shall apportion the number of elected councillors over the said divisions in the proportion, as nearly as may be, of the population thereof

(2) The Mysore Chamber of Commerce of Bangalore, the ~~Mysore Association~~ Mysore and such other associations of public bodies as may be recognised by the Government for the purpose shall also be entitled to elect a member to the Municipal Council concerned in accordance with rules or bye-laws made in this behalf by such association or public bodies

(3) The Municipal Council may, with the previous approval of Government alter from time to time the number of the divisions or wards in the Municipality

Preparation and revision of lists of Voters etc

3 A list of voters showing the persons entitled to vote in each division shall be prepared by the Returning Officer not less than three months prior to the date on which the term of office of the municipal councillors will expire

~~to vote in each division~~ By correspondence separately.

(1) A copy of the list so prepared shall be published by affixing a copy thereof -

(a) in Kannada, and

Cat | 41 | (b) if the returning officer so direct in English also, at the municipal office, ~~in the taluk office, if any, within municipal limits,~~ and in such other conspicuous place in the municipality as the said officer may consider suitable

(2) When the list has been so published the returning officer shall, by beat of tom tom and printed hand-bills, give public notice thereof, and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection or claim may apply in writing to the returning officer for the amendment of the list

(3) A copy of the hand-bill shall also be published both in Kannada and English, in the Mysore Gazette & copies thereof shall be affixed in the municipal office

Qualifications of voters

5 The following persons who have completed 21 years of age shall be qualified to have their names entered in the list of voters or in the electoral roll viz ,

(A) Every person who, for the preceding year, was assessed to taxes other than Octroi and toll, imposed on the municipality for a sum not less than Rs 5/- a year

(B) Every person who, for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised has been resident of the Municipality and

(a) who was assessed in the previous year to income-tax or

(b) who is a registered holder of lands assessed (or in the case of alienated land would be assessed if not alienated) to land revenue at an amount not less than five rupees in the Municipality or

(c) who on the first day of July next preceding the date of publication of the electoral roll

(d) occupied for the purpose of dwelling or for purposes of any trade, business or profession,

Manner of voting in particular cases

(1) Where any qualification prescribed by rule [illegible] is possessed by an individual for or a company or firm or any other association or body of individuals or the trustees, being two or more in number, of any building or land there the managing director secretary or other duly authorised in this behalf by the members of such company or firm or association or body of individuals or trustees, as the case may be, may give notice in writing to the Chief Executive Officer that [illegible] be qualified to have his name entered in the list of voters on behalf of such company or firm or association or body of individuals or trustees.

(2) If more than two persons are in accordance with such rule (1) to have their names entered in the list as the representative of such individual company or firm or association or body of individuals or any trustee, the Municipal Commissioner may determine which individual person shall be entitled to represent such company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof.

(3) If any person named in the list as an individual capacity but also as a representative of such company or firm or association or body of individuals or trustees, his name shall be entered in the list as if he were entitled to vote separately in each of such capacities.

(4) Except in the case mentioned in sub-section (3) no person shall be entitled to vote more than once [illegible] qualified under the provisions of the heads of qualification prescribed by rule [illegible]

Division in which vote is to be given

Each voter shall be entitled to vote in the division in which he resides, or in the case of a qualification for being assessed to Municipal taxes, in the division in which he is assessed.

Provided that

(a) No person shall be entitled to vote in more than one division.

(b) Any person possessing the qualification of voter in more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and for giving notice in writing after publication of the list has been given calling upon all such persons to make their choice, he shall be entitled to vote in such division as the Municipal Commissioner shall determine.

(c) A person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

8. (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall forthwith forward every such application with his report thereon for the decision of the Municipal Council

(3) The said officer may also bring to the notice of the Municipal Council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under subrule (3) shall be given by the Municipal Council receiving the same to any person affected thereby and the Municipal Council at its next meeting shall consider and pass orders on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Government ~~in the case of a City Municipality and to the Deputy Commissioner in the case of a Town Municipality~~ from the decision of a Municipal Council but the Government ~~or the Deputy Commissioner~~ may decline to entertain any appeal which is not presented within ten days from the date when the decision of the Municipal Council is communicated to the appellant Every order passed by the Government ~~or the Deputy Commissioner~~ under this rule shall be final

Publication and custody of election roll

9. (1) The list of voters shall be amended in accordance with the decision of the Municipal Council ~~the Deputy Commissioner or~~ the Government as the case may be and a copy thereof signed by the Returning Officer shall be the Municipal Election Roll

(2) The Municipal Election Roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3) Amendment of Election Roll

10. The municipal council shall be competent to prescribed authority, the exercise the powers under clause (b) of sub-section (1) of section 11 of the Regulation

Qualifications of candidates

12 11 Subject to the provisions of section 11 and to the disqualifications mentioned in section 12 and sub-sections (3) and (6) of section 20 of the Regulation, every person who is qualified to be a voter ~~under rule 5~~ under rule 3 shall be qualified to be a candidate ~~for election as a councillor or alderman~~.

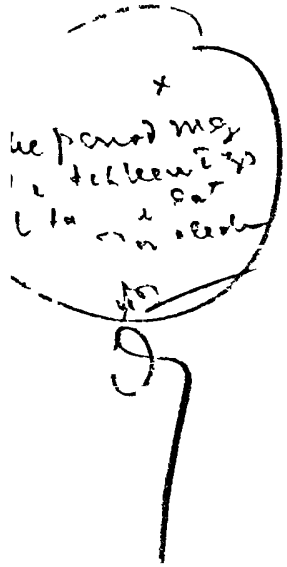
(2) Any person who is qualified to be ~~a councillor or alderman~~ a candidate may stand for election either in the division for which his name is ertered in the election roll or in any other division.

Time and place for elections

1-13 11. All municipal elections - whether gereral or casual - shall be held on such dates between such hours and at such place or places as may be fixed by the returning officer Written notice of such election shall be given and published ~~in English or~~ in Kannada and English ~~or both, as the said officer may direct~~, not less than ~~fifteen days~~ (15) before the date fixed for election Copies of

of the notice shall be affixed at the Municipal Office and at such other conspicuous place or places within the Municipality as the Municipal Council appoints for this purpose

12. 14 ~~13.~~ ~~12~~ Every person who wishes to stand for election in any ~~division~~ shall before ~~seven~~ fourteen days fixed for the date of election signifying his intention by applying in writing to the returning officer in the form (A-2) hereto appended



1 21

1-70

Deposit by candidates

(1) Every candidate shall deposit or cause to be deposited in a Government Treasury a sum of Rs 100 in cash and forward the Treasury receipt along with his application for candidature and no application shall be valid unless accompanied by such receipt

Savings Bank deposits or State Loan Bonds of equal value at the market rate of the day may also be accepted from candidates standing for election to the District Board in lieu of cash deposit of Rs 100 provided that Form No 1 of Annexure E of the Savings Bank rules (printed as annexure to this Notification) is signed by them authorising the Deputy Commissioner to treat the same as deposit in the former case and the bonds are endorsed in favour of the Comptroller in the case of the latter

(2) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Deputy Commissioner before the poll has commenced A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal

(3) If a candidate by whom or on whose behalf the deposit referred to under sub rule (1) has been made withdraws his candidature in the manner specified under sub rule (2) *and before 3 p m of the next working day after the latest date on which applications for candidature have to be presented* or if his name is rejected by the Deputy Commissioner the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the poll any such deposit if made by him shall be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person

(4) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled *or if a candidate withdraws his candidature after the time specified in sub rule 3* the deposit shall be forfeited and credited to the District Board

Explanation —For the purpose of this sub rule the total number of votes polled shall be deemed to be the total number of ballot papers other than poilt ballot papers collected

(5) The deposit made in respect of a candidate who is not elected if it is not forfeited under sub rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf or to their legal representative as the case may be as soon as may be after the publication of the result of the election in the Gazette provided that if a candidate has stood for election in more than two constituencies not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to the District Board

(1) *Preparation of list of eligible candidature* —The Deputy Commissioner shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in his office with a notice that objections if any to the candidature of the persons specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names If any name is rejected the reason for such rejection shall be recorded A list of such candidates shall be posted up with the symbols if any assigned under sub rule (2) under his signature in his office ~~A copy of the list shall also be published in the *Mysore Gazette* by the Deputy Commissioner~~

(2) *Assigning symbols to candidates.*—When the number of eligible candidates is more than the number of members to be elected the ~~Deputy Commissioner~~ shall assign to each candidate a symbol out of those approved from time to time by the Government in this behalf.

(3) *Publication of list of eligible candidates etc* —A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the ~~Deputy Commissioner in his office and a copy of the same shall be published in the *Mysore Gazette*~~

~~(4) *Display of list of candidates.*~~—On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling station for the information of the voters

Conduct of Elections

~~18.~~ When the number of candidates ~~nominated~~ does not exceed the number of vacancies the ~~nominated~~ candidate or candidates may be declared by the Returning Officer ~~elected~~ without any votes being recorded For purposes of Rule 2~~1~~ of these rules such candidates shall be considered to have got the highest number of votes

~~19.~~ If more candidates than there are vacancies ~~have been validly nominated~~ votes shall be taken in accordance with the procedure prescribed in the following rules —

~~20.~~ (a) The returning officer shall fix a polling station for each division and at each polling booth ~~shall~~ a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately

(b) A polling booth shall be provided for every 400 or so persons in a village than being already provided at each polling booth two voting compartments may be kept properly screened off from one another so that three persons may vote simultaneously

~~21.~~ The Returning Officer shall appoint one or more Polling officers to preside at each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying officers at each polling station to assist the Polling officer in identifying the voters

~~22.~~ (1) On the morning of the election day the Polling Officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an Election Roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the Election Roll

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

~~23.~~ (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates

Omission of names of candidates — If before the poll has commenced a person whose candidature has been published under sub rule (3) of the Rule ~~18~~ withdraws his candidature or dies or if the Deputy Commissioner is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the Deputy Commissioner shall cause the name of such candidate from the ballot paper

18 Every candidate who on or before the date of his nomination supplies the Returning Officer at his own expense with a block depicting such symbol as he may with the said officer's approval adopt for the guidance of voters shall be entitled to have the same printed in column 3 of the voting paper

Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

(1) On the day of the election the Polling Officer shall admit to the ante room of the polling booth the candidates and such agents as may be selected by the candidates to assist in the identification of voters provided that there shall be present at one time in addition to the candidates not more than on agent of each candidate

(2) Besides candidates ~~and their agents,~~ only voters attendants of voters admitted under rule 22 (vi) and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

~~21~~ The candidat s ~~and their agents~~ shall not speak to or address any intending voter in the ante room but may only address to the Polling Officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second —That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the Polling Officer and shall not be re admitted during the election

~~22~~ The procedure for recording each voter s vote shall be as follows —

(i) ~~Every voter may vote for as many candidates as there are councillors to be elected for the Division~~

(ii) There shall be no voting by proxy

(iii) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear th m

(iv) The Polling Officer shall dispose of any objections raised by candidates ~~and their agents,~~ and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter s signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote ~~shall return the paper folded up to the Polling Officer who shall forthwith in the voter's presence place it in the sealed box and pass the voter out of the polling room~~

(vi) On the request of a voter who through blindness or any other cause is ~~physically~~ incapable of recording his vote for himself the Polling Officer shall permit an attendant to take the voter into the polling booth and record his vote for him

~~22a~~ It hall be the duty of the Polling Officers and their assistant to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who

have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rul s and any special directions given by the Returning Officer thereunder are strictly observed in all respects

24 On the conclusion of the poll the Polling Officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted The Polling Officer shall seal up the book of coun terfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 42

Determination of Results of Elections

25 The ballot box shall be opened and the votes counted at a special general meeting of the Municipal Council by three scrutineers appointed for this purpose at the meeting

26 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

27 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy, the selection of one such candidate shal be made by lot by the Chairman of the aforesaid meeting in such manner as the Municipal Council at such meeting shall determine

28 Whenever one and the same person gets the highest number of votes in more than one ~~division~~ he will be at liberty to determine for which divis on he should be returned and in default of his doing so within 48 hours after the declaration of the result of election ~~in the case of City Municipalities and the Deputy Commissioner in the case of Town Municipalities~~ Government shall declare him to have been elected for one such ~~division~~ In such cases the candidates who have got the next highest number of votes in the several remaining ~~divisions~~ will be taken to have been elected for those divisions In the event of there being no such candidate in any such ~~division~~, a fresh election shall be held for the same

29 The result of the election shall be declared by the Chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting

Custody and Destruction of Voting Papers

30 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the Municipal seal shall be kept by the Municipal Council in safe custody

31 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application

regarding the election is made to the District Judge under Section 22 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the Polling Officer's custody shall be destroyed in the presence of such councillor or officer as the Municipal Council appoints for this purpose

Report of results of elections

~~22.~~ The names of persons declared to have been elected ~~under Rules 18 and 20~~ shall be communicated with the least practicable delay to the Government ~~direct in the case of a City Municipality and through the Deputy Commissioner in the case of a Town Municipality~~, for being notified in the *Mysore Gazette*

~~Casual Vacancies~~

~~23.~~ On a vacancy occurring in the Municipal Council between two general elections the Returning Officer shall fix a date as soon as conveniently may be for the holding of the election to fill the vacancy The above rules shall apply with such modifications as may be necessary to such bye elections

Form of application for candidature

Name of constituency for which the candidate intends to stand for election	
Name of candidate	
Father s Name	
Age	
Address	
No of the candidate in the electoral roll	

Date Signature of the candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications

~~*Rule 16 published in the Gazette of India, Part II, Section 3, Sub-section (i), dated the 12th April 1930~~

necessary for election to the Municipal Council and that I am not subject to any of the disqualifications specified in the Bombay Municipalities Regulations and the rules framed thereunder to be a candidate.

Date - Signature of Candidate

16

FORM B

(REFERRED TO IN RULE [illegible])

Counterfoil

Voting paper No

Voter's number on Election Roll

Voter's signature or thumb impression

Foil

Voting paper No

Serial No	Candidate's name	Candidate's symbol	Voter's mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elected is

(2) Place a clear mark thus × against the candidate of each of the candidates for whom wish to vote

(3) The mark should be placed against not more than ~~one~~ ~~two~~ parties.

ANNEXURE. E

~~FORM 1~~

(Reference in margin 18)

~~(Rule 13)~~

No *Dated* *193*

To

The Officer in charge of the Treasury

at

SIR,

I have the honor to apprise you that I have autho rised the ~~Deputy Commissioner~~ of ~~District~~ to treat the sum of ~~Rs 100~~ deposited by me in the Savings Bank at your treasury as security to ~~Government~~ on behalf of myself/A B I agree that the same will not be payable to me until I shall pro duce to you the expres written sanction of the ~~Deputy Commissioner~~ of ~~District~~ for payment of the same I have also agreed not to object to the payment by you of the whole or part of this deposit to the ~~Deputy Commissioner~~ of ~~District~~ upon his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the ~~Deputy commissioner~~ of ~~District~~ or from the date on which the ~~Deputy Commissioner~~ of ~~District~~ shall have revoked the authority to your Treasury to pay me/A B the interest

I have the honour to be
SIR
Your most obedient servant

Place (Signature of Depositor)

Date (Designation of Depositor)

1412 Pencil 3
Received
duly corrected
Copies may be kindly struck off
with the instructions on page 12 also
Typed copy may kindly be returned to this office
by order
Asstt Secy to Govt
for Secy to Govt

L 1412 dated 23 8 1933

Ml 92-33-1
encl 3

NOTIFICATION

CITY MUNICIPAL ELECTION RULES

The following draft of the rules regulating the election of members to Municipal Councils in City Municipalities which the Government propose to make in supersession of the existing rules on the subject and in exercise of the powers vested in them by and under the provisions of sections 10, 11, 228 (2) (b) of the Mysore City Municipalities Regulation 1933 and all other powers in this behalf are published under sub section (4) of section 228 of the Regulation, for the information of persons likely to be affected thereby and notice is hereby given that the draft rules will be taken into consideration on or after the 4th September 1933. Any objection or suggestion which may be received from any person with respect to the proposed rules before the aforesaid date will be taken into consideration

Definitions

In these rules

(1) the Regulation means the Mysore City Municipalities Regulation 1933

(2) Returning Officer means the Municipal Commissioner if there be one for the municipality or the President of the Municipal Council concerned in other cases

Divisions and Elective Councillors.

2 (1) The Municipal Council may with the previous approval of Government divide the Municipality for electoral purposes into as many divisions or mohallas as may be necessary, the boundaries of which shall be clearly defined and when such a division has been made shall apportion the number of elected councillors over the said divisions in the proportion, as nearly as may be of the population thereof

(2) The Mysore Chamber of Commerce Bangalore and such other associations or public bodies as may be recognised by the Government for the purpose shall also be entitled to elect a member to the Municipal Council concerned in accordance with rules or bye laws made in this behalf by such associations or public bodies

(3) The Municipal Council may with the previous approval of Government alter from time to time the number of the divisions or Mohallas in the Municipality

Preparation and Publication of List of Voters

3 A list of voters showing the persons entitled to vote in each division shall be prepared by the Returning Officer not less than three months prior to the date on which the term of office of the municipal councillors will expire

8-9-33

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof

(*a*) in Kannada and

(*b*) if the Returning Officer so directs in English also at the municipal office and in such other conspicuous places in the municipality as the said officer may consider suitable

(2) When the list has been so published the Returning Officer shall by beat of *tom tom* and printed handbills give public notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection or claim may apply in writing to the Returning Officer for the amendment of the list.

(3) A copy of the handbill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the Municipal Office.

Qualifications of Voters

5 The following persons who have completed 21 years of age shall be qualified to have their names entered in the list of voters or in the ~~electoral~~ roll *viz* —

(A) Every person who for the preceding year was assessed to taxes other than octroi ~~and~~ toll imposed in the Municipality for a sum not exceeding Rs 5 a year

(B) Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised has been resident of the Municipality and

(*a*) Who was assessed in the previous year to income tax or

(*b*) Who is a registered holder of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue at an amount not less than ~~five rupees~~ in the Municipality or

(*c*) who on the first day of July next preceding the date of publication of the election roll occupied for the purpose of dwelling or for purposes of any trade business or profession

(i) a house or building

(ii) part of a house or ~~dwelling~~ which is separately assessed to a tax of ~~five rupees~~ a year or

(*d*) who is in receipt of a pension of not less than Rs 15 per mensem from Government or from any public body or corporation or company registered or

(*e*) who is a graduate of any University or

(*f*) who is an advocate of the High Court of Mysore or

(*g*) who is a pleader holding a sannad from the High Court of Mysore or

(*h*) who is a person upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore or

(*i*) who is servant of the Government or of any public body or of any corporation or company registered under the Mysore Companies Regulation whose salary is not less than ~~fifty rupees~~ per mensem

Manner of voting in particular cases

6 (1) When any qualification prescribed by clause (b) of rule 5 is possessed by an undivided family or a company or firm or any other association or body of individuals or ~~the~~ trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the returning officer shall be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or ~~any~~ trustees the municipal council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as a representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

23.8.

(4) Except in the case mentioned in sub rule (3), no person shall be entitled to more than one vote by reason of being qualified under two or more of the tests of qualifications prescribed by rule 5

Division in which vote may be given

7 Each voter shall be entitled to vote in the division in which he resides or, in the case of a qualification arising from being assessed to municipal taxes, in the division in which he is assessed

Provided that :

(*a*) no person shall be entitled to vote in more than one division

(*b*) any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and, failing his doing so within a week after public notice has been given calling upon all such persons to make their choice, shall be entitled to vote in such division as the municipal council shall determine

(*c*) a person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

8 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the returning officer for the amendment thereof

(2) The returning officer shall forthwith forward every such application with his report thereon, for the decision of the municipal council.

(3) The said officer may also bring to the notice of the municipal council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to

be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under sub rule (3) shall be given by the municipal council receiving the same to any person affected thereby, and the municipal council at its next meeting shall consider and pass orders on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Government from the decision of a municipal council but the Government may decline to entertain any appeal which is not presented within ten days from the date when the decision of the municipal council is communicated to the appellant Every order passed by the Government under this rule shall be final

Publication and custody of election roll

9 (1) The list of voters shall be amended in accordance with the decision of the municipal council or the Government and a copy thereof signed by the returning officer shall be the municipal election roll

(2) The municipal election roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3) Every such election roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the municipal council The said book shall be kept in the municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Amendment of election roll

10 The municipal council shall be ' the prescribed authority for exercising the powers under clauses (*b*) and (*c*) of section 11 of the Regulation

Qualifications of candidates

11 Subject to the provisions of section 11 and to the disqualifications mentioned in section 12 and sub sections (3) and (6) of section 20 of the Regulation, every person who is qualified to be a voter under rule 5 shall be qualified to be a candidate

(2) Any person who is qualified to be a candidate may stand for election either in the division for which his name is entered in the election roll or in any other division

Time and place for elections

12 All municipal elections—whether general or casual—shall be held on such dates between such hours and at such place or places as may be fixed by the returning officer Written notice of such election shall be given and published both in Kannada and English not less than one month before the date fixed for election Copies of the notice shall be affixed at the municipal office and at such other conspicuous place or places within the municipality as the municipal council appoints for this purpose

Applications from candidates

13 Every person who wishes to stand for election in any division shall before fifteen days fixed for the date of election signify his intention by applying in writing to the returning officer in the Form A hereto appended

Deposit by candidates

14 (1) Every candidate shall deposit or cause to be deposited in a Government Treasury a sum of one hundred rupees in cash and forward the treasury receipt along with his application for candidature and no application shall be valid unless accompanied by such receipt

Savings Bank Deposits or State Loan Bonds of equal value at the market rate of the day shall if tendered be accepted from candidates standing for election in lieu of cash deposit Provided that Form No 1 of Annexure E of the Savings Bank Rules (printed as Appendix C) is signed by them authorising the returning officer to treat the same as deposit in the former case and the bonds

are endorsed in favour of the Comptroller in the case of the latter

(2) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer before the poll has commenced A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal

(3) If a candidate by whom or on whose behalf the deposit referred to under sub rule (1) has been made withdraws his candidature in the manner specified under sub rule (2) *and before 3 p m of the next working day after the latest date on which applications for candidature have to be presented* or if his name is rejected by the returning officer the deposit shall be returned to the person by whom it was made, and if any candidate dies before the commencement of the poll any such deposit if made by him shall be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person

(4) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is not elected and the number of votes polled by him does not exceed one eighth of the total number of votes polled *or if a candidate withdraws his candidature after the time specified in sub rule 3* the deposit shall be forfeited and credited to the municipal fund

Explanation —For the purpose of this sub rule the total number of votes polled shall be deemed to be the total number of voting papers other than spoilt voting papers collected

(5) The deposit made in respect of a candidate who is not elected if it is not forfeited under sub rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf or to his legal representative as the case may be as soon as may be after the publication of the result of the election in the *Mysore Gazette* provided that if a candidate has stood for election in more than two ~~constituencies~~ not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to the municipal fund

Preparation and publication of list of eligible candidates etc

15 (1) The returning officer shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in office with a notice that objections if any to the candidature of the person specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names If any name is rejected, the reason for such rejection shall be recorded A list of such candidates shall be posted up with the symbols if any assigned under sub rule (2) under his signature in the municipal office

(2) When the number of eligible candidates is more than the number of members to be elected the returning officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf

On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling stations for the information of the voters

(3) A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office

Conduct of Elections

16 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared elected by the returning officer without any votes being recorded For purposes of rule 31 of these rules such candidates shall be considered to have got the highest number of votes

17 If there are more candidates than there are vacancies votes shall be taken in accordance with the procedure prescribed in the following rules

18 The returning officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately.

19 The returning officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary. The said officer shall also appoint one or more identifying officer at each polling station to assist the polling officer in identifying the voters.

20 (1) On the morning of the election day the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers, an election roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the election roll.

(2) The returning officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail.

21 (1) The voting paper shall be printed in Form B, hereto appended and shall contain the names of all the candidates.

(2) Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences.

~~*Omission of names of candidates*~~

22 If before the poll has commenced, a person whose candidature has been published under sub rule (3) of ~~the~~ rule 15 withdraws his candidature or dies or if the returning officer is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the returning officer may remove the name of such candidate from the voting paper.

23 (1) On the day of the election, the polling officer shall admit to the ante room of the polling booth the candidates ~~and such agents as may be selected by the~~ candidates to assist in the identification of voters provided that there shall be present at one time in addition to the candidates not more than one agent of each candidate.

(2) Besides candidates only voters ~~attendants of voting admitted under rule 22 (vi)~~ and such persons (if any) as may be admissible under special directions given by the returning officer in this behalf shall be admitted to the polling booth.

24 The candidates shall not speak to or address any intending voter in the ante room but may only address

to the polling officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second —That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be readmitted during the election

25 The procedure for recording each voter's vote shall be as follows —

(*i*) The vote shall be given by ballot

(*ii*) There shall be no voting by proxy

(*iii*) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

(*iv*) The polling officer shall dispose of any objections raised by andidates and when satisfied that the intending voter is entitled to vote and has not yet voted, shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of the foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(*v*) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote and after folding and closing the voting paper put it into the ballot box

(*vi*) On the request of a voter who through blindness or illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired, in marking the vote on the voting paper and putting the voting paper into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

26 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the returning officer thereunder are strictly observed in all respects

27 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the returning officer or some one appointed by the said officer to take charge of it till the votes are counted The polling officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule ~~40~~ 34

Determination of results of elections

28 The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meeting

29 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

30 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine

31 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election the Government shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the ame

32 The result of the election shall be declared by the chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting

Custody and destruction of voting papers

33 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the municipal seal shall be kept by the municipal council in safe custody

34 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application regarding the election is made to the District Judge under section 20 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the polling officer s custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of elections

35 The names of persons declared to have been elected under rules ~~21~~ and ~~38~~ shall be communicated with the least practicable delay to the Government for being notified in the *Mysore Gazette*

~~H V RAMASVAMI~~
~~*General*~~ *Secretary to Government*

R Ranga Rao

cp 23/8

Chief

* The Compiler, Mysore Gazette for publication in Government Gazette (Part I) supply five copies thereof to the President, Mysore City Municipal Council, Bangalore City 25 copies may be kindly supplied to the Secretariat.

12/8 DS 29/8/33

FORM A

(REFERRED TO IN RULE 13)

Form of application for candidature

Name of ~~constituency~~ for which the candidate intends to stand for election	
Name of candidate	
Father's name	
Age	
Address	
Number of the candidate in the electoral roll	

Date Signature of ~~the~~ candidate

Declaration by the candidat

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore City Municipalities Regulation, 1933, or the rules framed thereunder to be a candidate

Date Signature of candidate

FORM B

(REFERRED TO IN RULE 21)

Counterfoil

Voting Paper No

Voter's number on Election Roll

Voter's signature or thumb impression

Foil

Voting Paper No

Serial No	Candidate's name	Candidate's symbol	Voter's mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elected is

(2) Place a cross mark thus × against the candidate / each of the candidates for whom you wish to vote

(3) The mark should be placed against not more than name / names.

ANNEXURE E

(REFERRED TO IN RULE)

No. *Dated* .. .. *193* ..

To

The Officer in charge of the Treasury

at ..

SIR

I have the honour to apprise you that I have authorised the returning officer of municipality to treat the sum of one hundred rupees deposited by me in the Savings Bank at your treasury as security to the municipality on behalf of myself / A B I agree that the same will not be payable to me until I shall produce to you the expres written sanction of the returning officer of municipality for payment of the same / I have also agreed not to object to the payment by you of the whole or part of this deposit to the Returning Officer of municipality upon his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the returning officer of municipality or from the date on which the returning officer of municipality shall have revoked the authority to your treasury to pay me / A B the interest

I have the honour to be
Sir
Your most obedient servant,

Place (Signature of Depositor)

Date (Designation of Depositor) ... ..

Erratum

F.292-33-2

For the words "not exceeding" occurring in the third line of rule 5(A) of the City Municipal Election rules published with notification no L 1412 HH 92-337 dated 23 & 33 in Part IV of the Rajpatra, dated 24 & 33

Please read "or not less than"

By order

for Chief Secretary

To the compiler, Rajpatra for publication in the Gazette

L 1452-3 & 25/8/33

Copy to the Municipal Commissioner, Bangalore for information

DO

KSG

From,

S I Mumthaz,
Vice President and R A member
CHANNAPATNA

To

H V Ramaswami Esq ,
Secretary to Government , General Department,
Public Offices, Bangalore

Ref No 6972 Dat 2nd Sept 1933

Re

GENERAL SECRETARIAT
4 SEP 1933

I beg to enclose herewith certain suggestions and objections regarding the rules framed for the election of members to the City Municipal Councils

1 The suggestions made in respect of rule 4 is for the proper knowledge of public knowing Urdu who do not either know Kanada or English as the State of Mysore consistes of two main class Viz Hindus and Musalmans

2 The suggestions made under Rule 5, is only to make the matter more clear for the general Public, also the inclusion of the recognised associations is at the same time considered necessary

3 As regards the suggestion to rule 6(4) and 7, I beg to point out that a person qualified to vote in several divisions , is also qualified to vote in respect of electing a councillor from that division It is not made clear as to why his rights are curtiles in voting for that division if he has got a right of voting in a different division also for an instance in Basavangudi a number of persons residing in Big pet have got their houses , where they are entilled to to vote They intend to vote in Bigpet ,as they are residing there They also want to vote in Basavangudi as they want to elect a person for that division according to their wishes whom they think best to represent their interest As per these Rules they are not entitled to sellect a person there If in Basvangudi there are a few persons that are

P T O

From,

S I Mumthaz,
Vice President and R A member
CHANNAPATNA

To

Ref No *Dated* *193*

Re - - - - - - - - - -

Sir,

residing there and that are entitled to vote there , they alone are competent to elect a member from that division though it may be against the interest of the others This I do not think is right If this is not considered right, then the Election Rules of the Representative Assemble and Council is also to be changed to make them also right because X is qualified to vote in Channapatna Taluk, and Channapatna Town as well as in Mandya Taluk Then he is voting for the election a member from the different constituencys all for the Assembly or Council If he is not entitled to vote in more than one Division in the Municipalities, then he should also be made to vote in more than one constituency

4 The rest of the suggestions and objections of are also of some importence

I beg to remain

Sir,

Yours most obedient

servant,

S. I. Mumthaz

Vice President & R A Cutler

Channapatna

From

S I Mumthaz,

Vice President and R A member,

CHANNAPATNA

To

H V Ranasvami Esq ,

Secretary to Government, General Department,

Public Offices, Bangalore.

Ref No *Date* 1st Sept 193?

Re — — — — —

Sir,

I beg to submit the following suggestions in respect of the draft rules publisnes in the Notification No E 1412-M1 92-33-1, dated 23rd August 1933, rdgulating the ellection of members to the City Municipal Councils, for being consider-ed which I hope would receive your kind assent

1 Page 522 Rule 4 (1) (b) 1st line- Insert " , and " after the word "English" and a next clause (c) may be inserted before the word "also" running as " (c) if so required for any division or Mohalla, in Urdu"

2 Page 522 Rule 4(3) 2rd line-Omit the word"both" and the word "and" and insert the words " and Urdu" between the words " English" and "in"

3 Page523,Rule5,line 1st- Omit the words" the following"and insert instead the word "Every"
In the same line, replace the word "naves" with the word "nas"
In line 2- Replace the words "their names" with the words "his name"
In line 3- Replace the word"VIZ "with the words"provided that"

Page 523 Rule5(A)1st line- Replace the word "every" with the word"such"
" " " " " " - Omit the word "who"
" " " " 3rd " - Replace the words "exceeding" with the words "lessthan"
" " " (B)1st " - Replace the word "Every" with the word "Such"
" " " " " - Omit the word "who"
" " " "(a)" " - Omit the word "who"
" " " "(b)" " - Omit the word "who"
" " " "(c)" " - Omit the words" who on the first day of July"and insert the words "for a period of not less than six months" instead
" " " "4th (c) - Continue the line after the words" or profession," as follow-ing making the line to run thus " or profession a house or building or part of a house or building which is seperately assessed to a tax of Rs.5 a year, or"
" " " "(1) " - Omit the line altogether
" " " "(11) " - Omit both the lines altogether

(d)

Page 523 Rule5 (B)(d) 1st line- Omit the word "who"
2rd line- Insert the word"recognised" between the words"any" and "public"
3rd line- Omit the word "or" between the words'body' abd 'corporation'
" " - Insert the word "association" between the words 'corporation' and 'or'
" " " (E)(e) 1st " - Omit the word "who",
" " " (E)(f) 1st " - Omit the word "who"
" " " " (g) 1st " - Omit the word "who"
" " " " (h) 1st " - Omit the words "who is a person"
" " " " (i) 1st " - Omit the word "who"
- Insert the word "recognised" after the word 'any'
2nd line - Omit the words "or of any"
- Insert the word "association" between the words'corporation' and 'or'

Page 524 Rule6(1),4th line - Omit the " " in the end
Insert the words "in the same division or monalla" "
" Rule7 2nd line - Omit the word "a"
2nd " - Add "s" after the word'qualification'
4th Line - Add "s" after the word 'division' '
"(a)1st line- Add the words "more than one" between the words 'to' and 'vote'
" - Omit the word "more"
2nd line- Omit the word "than"
"(b)3rd line- Omit the "choose" and add the word "vote" instead
" " " " - Omit the words "vaich of"
" " 4th line- Insert " " after the word "vote"
" " " " - delit the word "and,"

page 525 Line 1 to 5- Omit all the five lines
Page 526 Rule 11(2) 4th line- Omit " "in the end
" " " " - add the words " or in both"
" " Rule 12 5th line- Omit the word "and" between "Hanadad" and "English"
" " - Add the words " and Urdu" between the words "English" and "not"
Page 528 Rule 15 (1) 16th line- After the " " a subclause(a) may be made as"(a) An appeal against the orders my be made to the Government"
" " -The remaining of the 16th line and the 17th and 18 lines may be brought under a clause as "(b)"

Page 529 Rule15 (4)- This clause (4) must be omitted as it is not necessary to do so in the presence of Rule 21 (1) and 21(2) on page 530

Page 530 Rule 22 line 2nd- Substitute "(3)" instead of "(4)
" " " " the whole- This must go and the whole of the rule should be delited as it in not the stage of the rejection of the candidatures applications and rmoving the names of the elegible candidates under rule 15 wherein all the procedure was sold and settled
" " Rule23(1)3rd line- Omit the figure "15(1)" and insert the figure "21(2)"

Page 531 Rule 25(iv) 3rd line- efore the words 'the poling ' insert the words "any person intended by the voter or"

Letter No. G.1. 378 dated the 3rd September 1937 from the President, City Municipal Council, Lyallpore to the Chief Secretary.

***** *****

Referring to the ensuing elections to the Municipal Council, in December next, I have the honour to state that Mr. Ahmed Sait writes to say that names of persons occupying shops in municipal markets should be included in the Voters' Lists. In this connection I beg to submit that the shopkeepers are not tax payers, the municipal buildings not being liable to taxation as per the existing bye-laws (vide page 114 of the Bye-laws). The shop holders are only lessees, the lease being governed by the terms of the contract (vide section 11 of the Municipal Regulation). Further, according to the Election Rules also a person who occupies for the purpose of dwelling or any trade or business a building or part of a building which is separately assessed to municipal tax is eligible to vote. In these circumstances Mr. Ahmed Sait has been informed that the names of shopkeepers in municipal markets cannot be included in the Voters' lists and I request you kindly let me know if my interpretation of the rules is correct. Copies of Mr. Ahmed Sait's letter and my reply thereto are enclosed for information.

In connection with the draft election rules published I beg to state that Rule 5 (b) (c) may be so amended as to read as follows - '(1) a house or building or a part of a house or building which is separately assessed to a tax of Rs. 5/- a year', in lieu of (i) and (ii) as now proposed.

" Copy "

6/11/37

To be published in this week's Gazette
2150
Rl 92-33-5 dated 7-8-33
Draft

NOTIFICATION

In supersession of the rules in force on the subject and in exercise of the powers vested under the provisions of Section 10 11 and 220 (2) (b) of the Mysore City Municipalities Regulation 1933, and all other powers in this behalf, the following rules for regulating the conduct of election of members to Municipal Councils of City Municipalities are made by Government,

~~ject to the proposed rules before the ator said date will be taken into consideration~~

City Municipal Election Rules

Definitions

In the e rules

(1 The Regulation means the Mysore City Municipalities Regulation 1933

(2) Returning Officer mean the Municipal Commissioner if there be one for the municipality or the President of the municipal council concerned in other

Divisions and elective councillors

2 (1) The municipal council may with the previous approval of Government divide the municipality for electoral purposes into as many divisions or mohallas as may be necessary the boundaries of which shall be clearly defined and when such a division has been made shall apportion the number of elected councillors over the said divisions in the proportion as nearly as may be of the population thereof

(2) The Mysore Chamber of Commerce Bangalore and such other associations or public bodies as may be recognised by the Government for the purpose shall also be entitled to elect a member to the municipal council concerned in accordance with rules or bye laws made in this behalf by such associations or public bodies

(3) The municipal council may with the previous approval of Government alter from time to time the number of the divisions or mohallas in the municipality

Preparation and publication of list of voters

3 A list of voters showing the persons entitled to vote in each division shall be prepared by the Returning Officer not less than three months prior to the date on which the term of office of the municipal councillors will expire

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof—

(*a*) in Kannada and

(*b*) if the Returning Officer so directs in English also at the municipal office and in such other conspicuous places in the municipality as the said officer may consider suitable

(2) When the list has been so published the Returning Officer shall by beat of *tom tom* and printed handbills give puolic notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 8 (1) to prefer an objection or claim may apply in writing to the Returning Officer for the amendment of the list

(3) A copy of the handbill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office

Qualifications of voters

5 The following persons who have completed 21 years of age shall be qualified to have their names entered in the list of voters or in the election roll *viz* —

(A) Every person who for the preceding year was assessed to taxes other than octroi or toll imposed in the municipality for a sum not less than Rs 5 a year

(B) Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised has been resident of the Municipality and

(*a*) who was assessed in the previous year to income tax or

(*b*) who is a registered holder of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue at an amount not less than Rs 5 in the municipality or

(*c*) who on the first day of July next preceding the date of publication of the election roll occupied for the purpose of dwelling or for purposes of any trade business or profession

(i) a house or building, or

(ii) part of a house or building which is separately assessed to a tax of Rs 5 a year or

(*d*) who is in receipt of a pension of not less than Rs 15 per mensem from Government or from any public body or corporation or company registered or

(*e*) who is a graduate of any University or

(*f*) who is an advocate of the High Court of Mysore

(*g*) who is a pleader holding a sannad from the High Court of Mysore or

(*h*) who is a person upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore or

(*i*) who is a servant of the Government or of any public body or of any corporation or company registered under the Mysore Companies Regulation whose salary is not less than Rs 50 per mensem

Manner of voting in particular cases

6 (1) When any qualification prescribed by clause (A) of rule 5 is possessed by an undivided family or a

company or firm or any other association or body of individuals or trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the Returning Officer shall be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or trustees the municipal council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as a representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in ~~the said~~ list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3) no person shall be entitled to more than one vote by reason of being qualified under two or more of the test of qualifications prescribed by rule 5

Division in which vote may be given

7 Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from being assessed to municipal taxes in the division in which he is assessed

Provided that—

(*a*) no person shall be entitled to vote in more than one division

(*b*) any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and

failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the municipal council shall determine

(c) a person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

8 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall forthwith forward every such application with his report thereon for the decision of the municipal council

(3) The said officer may also bring to the notice of the municipal council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub-rule (1) and of every reference under sub rule (3) hall be given by the municipal council receiving the same to any person affected thereby and the municipal council at its next meeting shall consider and pass orders on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Government from the decision of a municipal council but the Government may decline to entertain any appeal which is not presented within ten days from the date when the decision of the municipal council is communicated to the appellant

Every order passed by the Government under this rule shall be final

Publication and custody of election roll

9 (1) The list of voters shall be amended in accordance with the decision of the municipal council or the Government as the case may be and a copy thereof signed by the Returning Officer shall be the municipal election roll

(2) The municipal election roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3) Every such election roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the municipal council The said book shall be kept in the municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Amendment of election roll

10 The municipal council shall be the prescribed authority for exercising the powers under clauses (*b*) and (*c*) of section 11 of the Regulation

Qualifications of candidates

11 Subject to the provisions of section 11 and to the disqualifications mentioned in section 12 and sub sections (3) and (6) of section 20 of the Regulation every person who is qualified to be a voter under rule 5 shall be qualified to be a candidate

(2) Any person who is qualified to be a candidate may stand for election either in the division for which his name is entered in the election roll or in any other division

Time and place for elections

12 All municipal elections—whether general or casual—shall be held on such dates between such hours and at such place or places as may be fixed by the Returning Officer Written notice of such elections shall be given and published both in Kannada and English not less than one month before the date fixed for election Copies of the notice shall be affixed at the municipal office and at

such other conspicuous place or places within the municipality as the municipal council appoints for this purpose

Applications from candidates

13 Every person who wishe to stand for election in any division shall before fifteen days fixed for the date of election signify his intention by applying in writing to the Returning Officer in the Form A hereto appended

Deposit by candidates

14 (1) Every candidate shall deposit or cause to be deposited in a Government Treasury a sum of one hundred rupees in cash and forward the treasury receipt along with his application for candidature and no application shall be valid unless accompanied by such receipt

Savings Bank deposits or State Loan bonds of equal value at the market rate of the day shall if tendered be accepted from candidates standing for election in lieu of cash deposit Provided that Form No 1 of Annexure F of the Savings Bank Rules (printed as Appendix ( ) is signed by them authorising the Returning Officer to treat the same as deposit in the former case and the bonds are endorsed in favour of the Comptroller in the case of the latter

(2) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer before the poll has commenced A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal

(3) If a candidate by whom or on whose behalf the deposit referred to under sub rule (1) has been made withdraws his candidature in the manner specified under sub rule ( ) *and before 3 p m of the next working day after the latest date on which applications for candidature have to be presented* or if his name is rejected by the Returning Officer the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the poll any such deposit, if made by him shall be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person

(4) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is not elected and the number of votes polled by him does not exceed one eighth of the total number of votes polled *or if a candidate withdraws his candidature after the time specified in sub rule 3* the deposit shall be forfeited and credited to the municipal fund

Explanation —For the purpose of this sub rule the total number of votes polled shall be deemed to be the total number of voting papers other than spoilt voting papers collected

(5) The deposit made in respect of a candidate who is not elected if it is not forfeited under sub rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf or to his legal representative as the case may be as soon as may be after the publication of the result of the election in the *Mysore Gazette* provided that if a candidate has stood for election in more than two divisions not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to the municipal fund

Preparation and publication of list of eligible candidates et

15 (1) The Returning Officer shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in the Municipal office with a notice that objections if any to the candidature of the person specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names If any name is rejected the reason for such rejection shall be recorded A list of such candidates shall be posted up with the symbols if any assigned under sub rule 9) under his signature in the municipal office

(2) When the number of eligible candidates is more than the number of members to be elected the Returning Officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf

(3) A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office

(4) On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at the polling stations for the information of the voters

Conduct of elections

16 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared elected by the Returning Officer without any votes being recorded For purposes of rule 31 of these rules such candidates shall be considered to have got the highest number of votes

17 If there are more candidates than there are vacancies votes shall be taken in accordance with the procedure prescribed in the following rule

18 The Returning Officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately

19 The Returning Officer shall appoint one or more polling officers to preside a each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying officers at each polling station to assist the polling officer in identifying the voters

20 (1) On the morning of the election day the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an election roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the election roll

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

21 (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates

( ) Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

(3)/- 22 If before the poll has commenced a person whose candidature has been published under sub rule (1) of rule 15 withdraws his candidature or dies or if the Returning Officer is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the Returning Officer or the Polling Officer under the Returning Officer s orders may remove the name of such candidate from the voting paper

23 (1) On the day of the election the polling officer shall admit to the ante room of the polling booth the candidates whose name are displayed und r rule 15

(2) Besides candidates only voters and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

24 The candidates shall not speak to or address any intending voter in the ante room but may only address to the polling officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second —That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be re admitted during the election

25 The procedure for recording each voter s vote shall be as follows —

(*i*) The vote shall be given by ballot

(*ii*) There shall be no voting by proxy

(*iii*) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

(ii) The polling officer shall dispose of any objections raised by candidates and when satisfied that the intending voter is entitled to vote and has not yet voted, shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of the foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(i) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote and after folding and closing the voting paper put it into the ballot box

(ii) On the request of a voter who through blindness or illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired in marking the vote on the voting paper and putting the voting paper into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

26 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

27 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted The polling officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 34

Determination of results of elections

28 The ballot box shall be opened and the votes counted at a special general meeting of the municipal

council by three scrutineers appointed for this purpose at the meeting

29 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

30 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine

31 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the results of elections the Government shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

32 The results of the elections shall be declared by the chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting

Custody and destruction of voting papers

33 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the municipal seal shall be kept by the municipal council in safe custody

34 On the expiry of fifteen days from the date of the declaration of the results of the elections or if any application regarding the elections is made to the District Judge under section 20 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the polling officer s custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of elections

35 The names of persons declared to have been elected under rule 16 and 32 shall be communicated with the least practicable delay to the Government for being notified in the *Mysore Gazette*

R RANGA RAO

Chief Secretary to Government

FORM A

(REFERRED TO IN RULE 13)

Form of application for candidature

Name of division for which the candidate intends to stand for election	
Name of candidate	
Father's name	
Age	
Address	
Number of the candidate in the election roll	

Date Signature of candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore City Municipalities Regulation 1933 or the rules framed thereunder to be a candidate

Date Signature of candidate

FORM B

(REFERRED TO IN RULE 21)

Counterfoil

Voting Paper No

Voter's number on Election Roll

Voter's signature or thumb impression

Foil

Voting Paper No

Serial No	Candidate's name	Candidate's symbol	Voter's mark
1			
2			
3			
4			
5			
6			
7			/
8			

(1) The number of members to be elected is

(2) Place a cross mark thus × against $\frac{\text{the candidate}}{\text{each of the candidates}}$ for whom you wish to vote

(3) The mark should be placed against not more than $\frac{\text{name}}{\text{names}}$

~~ANNEXURE C.~~ Appendix/—

(REFERRED TO IN RULE 14)

No *Dated* *193*

To

The Officer in charge of the Treasury

at

SIR

I have the honour to apprise you that I have authorised the Returning Officer of municipality to treat the sum of one hundred rupees deposited by me in the Savings Bank at your treasury as security to the municipality on behalf of myself/A B I agree that the same will not be payable to me until I shall produce to you the express written sanction of the Returning Officer of municipality for payment of the same I have also agreed not to object to the payment by you of the whole or part of this deposit to the Returning Officer of municipality upon his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the Returning Officer of municipality or from the date on which the Returning Officer of municipality shall have revoked the authority to your treasury to pay me/A B the interest

I have the honour to be,
Sir
Your most obedient servant,

Place (Signature of Depositor)

Date (Designation of Depositor)

NOTIFICATION

No L 2150—M' 92 33 5 dated 18th September 1933

In supersession of the rules in force on the subject and in exercise of the powers vested under the provisions of Sections 10 11 and 228 (2) (*b*) of the Mysore City Municipalities Regulation 1933 and all other powers in this behalf the following rules for regulating the conduct of elections of members to Municipal Councils of City Municipalities are made by the Government —

City Municipal Election Rules

Definitions

In these rules

(1) The Regulation means the Mysore City Municipalities Regulation 1933

(2) Returning Officer means the Municipal Commissioner if there be one for the municipality or the President of the municipal council concerned in other cases

Divisions and elective councillors

2 (1) The municipal council may with the previous approval of Government divide the municipality for electoral purposes into as many divisions or mohallas as may be necessary the boundaries of which hall be clearly defined and when such a division has been made shall apportion the number of elected councillors over the said divisions in the proportion as nearly as may be of the population thereof

(2 The Mysore Chamber of Commerce Bangalore and such other associations or public bodies as may be recognised by the Government for the purpose shall also be entitled to elect a member to the municipal council concerned in accordance with rules or bye laws made in this behalf by such associations or public bodies

(3) The municipal council may with the previous approval of Government alter from time to time the number of the divisions or mohallas in the municipality

Preparation and publication of list of voters

3 A list of voters showing the persons entitled to vote in each division shall be prepared by the Returning Officer not less than three months prior to the date on which the term of office of the municipal councillors will expire

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof—

(*a*) in Kannada and

(*b*) if the Returning Officer so directs in English also

at the municipal office and in such other conspicuou places in the municipality as the said officer may consider suitable

(2) When the list has been so published the Returning Officer shall by beat of *tom tom* and printed handbills give public notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 8 (1) to prefer an objection or claim may apply in writing to the Returning Officer for the amendment of the list

(3) A copy of the handbill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office

Qualifications of voters

5 The following persons who have completed 21 years of age shall be qualified to have their names entered in the list of voters or in the election roll *viz* —

(A) Every person who for the preceding year was assessed to taxes other than octroi or toll impo ed in the municipality for a sum not less than Rs 5 a year

(B) Every person who for a period of not less than six months next preceding the date on which by these rules a list of voters is required to be prepared or revised has been resident of the municipality and

(*a*) who was as essed in the previous year to income tax or

(*b*) who is a registered holder of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue at an amount not less than Rs 5 in the municipality, or

(c) who on the first day of July next preceding the date of publication of the election roll occupied for the purpose of dwelling or for purposes of any trade business or profession a house or building or part of a house or building which is separately assessed to a tax of Rs 5 a year or

(d) who is in receipt of a pension of not less than Rs 10 per mensem from Government or from any public body or corporation or company registered or

(e) who is a graduate of any University or

(f) who is an advocate of the High Court of Mysore or

(g) who is a pleader holding a sannad from the High Court of Mysore or

(h) who is a person upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore or

(i) who is a servant of the Government or of any public body or of any corporation or company registered under the Mysore Companies Regulation whose salary is not less than Rs 50 per mensem

Manner of voting in particular cases

6 (1) When any qualification prescribed by clause (A) of rule 5 is possessed by an undivided family or a company or firm or any other association or body of individuals or trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the Returning Officer shall be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or trustees, the municipal council may determine which individual person shall be entitled to represent such family

or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as a representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3) no person shall be entitled to more than one vote by reason of being qualified under two or more of the test of qualifications prescribed by rule 5

Division in which vote may be given

7 Each voter shall be entitled to vote in the division in which he resides or in the case of a qualification arising from being assessed to municipal taxes in the division in which he is assessed

Provided that—

(*a*) no person shall be entitled to vote in more than one division

(*b*) any person possessing the qualifications of a voter in connection with more than one division shall be at liberty to choose for which of such divisions he shall be entitled to vote and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such division as the municipal council shall determine

(*c*) a person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of list and appeals

8 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall forthwith forward every such application with his report thereon for the decision of the municipal council

(3) The said office may also bring to the notice of the municipal council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein

(4) Notice of every application under sub rule (1) and of every reference under sub rule (3) hall be given by the municipal council receiving the same to any person affected thereby and the municipal council at its next meeting shall consider and pass orders on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters

(5) An appeal shall lie to the Government from the decision of a municipal council but the Government may decline to entertain any appeal which is not presented within ten days from the date when the decision of the municipal council is communicated to the appellant Every order passed by the Government under this rule shall be final

Publication and custody of election roll

9 (1) The list of voters shall be amended in accordance with the decision of the municipal council or the Government as the case may be and a copy thereof signed by the Returning Officer shall be the municipal election roll

(2) The municipal election roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3) Every such election roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the municipal council The said book shall be kept in the municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Amendment of election roll

10 The municipal council shall be the prescribed authority for exercising the powers under clauses (*b*) and (*c*) of section 11 of the Regulation

Qualifications of candidates

11 Subject to the provisions of section 11 and to the disqualifications mentioned in section 12 and sub sections (3) and (6) of section 20 of the Regulation every person who is qualified to be a voter under rule 5 shall be qualified to be a candidate

(2) Any person who is qualified to be a candidate may stand for election either in the division for which his name is entered in the election roll or in any other division

Time and place for elections

12 All municipal elections—whether general or casual—shall be held on such dates between such hours and at such place or places as may be fixed by the Returning Officer Written notice of such elections shall be given and published both in Kannada and English not less than one month before the date fixed for election Copies of the notice shall be affixed at the municipal office and at such other conspicuous place or places within the municipality as the municipal council appoints for this purpose

Applications from candidates

13 Every person who wishes to stand for election in any division shall before fifteen days fixed for the date of election signify his intention by applying in writing to the Returning Officer in the Form A hereto appended

Deposit by candidates

14 (1) Every candidate shall deposit or cause to be deposited in a Government Treasury a sum of one hundred rupees in cash and forward the treasury receipt along with his application for candidature and no application shall be valid unless accompanied by such receipt

Savings Bank deposits or State Loan bonds of equal value at the market rate of the day shall if tendered be accepted from candidates standing for election in lieu of cash deposit Provided that Form No 1 of Annexure I of the Savings Bank Rules (printed as Appendix) is signed by them authorising the Returning Officer to treat the same as deposit in the former case and the bonds are endorsed in favour of the Comptroller in the case of the latter

(2) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer before the poll has commenced A candidate who has withdrawn his candidature shall not be allowed to cancel such withdrawal

(3) If a candidate by whom or on whose behalf the deposit referred to under sub rule (1) has been made withdraws his candidature in the manner specified under sub rule (2) *and before 3 p m of the next working day after the latest date on which applications for candidature have to be presented* or if his name is rejected by the Returning Officer the deposit shall be returned to the person by whom it was made and if any candidate dies before the commencement of the poll any such deposit if made by him shall be returned to his legal representative or if not made by the candidate shall be returned to the person by whom it was made or to the legal representative of such person

(4) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is not elected and the number of votes polled by him does not exceed one eighth of the total number of votes polled *or if a candidate withdraws his candidature after the time specified in sub rule 3* the deposit shall be forfeited and credited to the municipal fund

Explanation —For the purpose of this sub rule the total number of votes polled shall be deemed to be the total number of voting papers other than spoilt voting papers collected

(5) The deposit made in respect of a candidate who is not elected if it is not forfeited under sub rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf or to his legal representative as the case may be as soon as may be after the publication of the result of the election

in the *Mysore Gazette* provided that if a candidate has stood for election in more than two divisions not more than two of the deposits made by him or on his behalf shall be returned in any case and the remainder shall be forfeited to the municipal fund

Preparation and publication of list of eligible candidate etc

15 (1) The Returning Officer shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in the municipal office with a notice that objections if any to the candidature of the person specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names If any name is rejected, the reason for such rejection shall be recorded A list of such candidates shall be posted up with the symbols if any assigned under sub rule 2) under his signature in the municipal office

(2) When the number of eligible candidates is more than the number of members to be elected the Returning Officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf

(3) A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office

Conduct of elections

16 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared elected by the Returning Officer without any votes being recorded For purposes of rule 31 of these rules such candidates shall be considered to have got the highest number of votes

17 If there are more candidates than there are vacancies votes shall be taken in accordance with the procedure prescribed in the following rules

18 The Returning Officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately

19 The Returning Officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying officer at each polling station to assist the olling officer in identifying the voters

20 (1) On the morning of the election day the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an election roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the election roll

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

21 (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates

(2) Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

22 If before the poll has commenced a person whose candidature has been published under sub rule (3) of rule 15 withdraws his candidature or dies or if the Returning Officer is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the Returning Officer or the polling officer under the Returning Officer s orders may remove the name of such candidate from the voting paper

23 (1) On the day of the election the polling officer shall admit to the ante room of the polling booth the candidates whose names are displayed under rule 15 (3)

(2) Besides candidates only voters and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

24 The candidates shall not speak to or address any intending voter in the ante room but may only address to the polling officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second.—That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be readmitted during the election

25 The procedure for recording each voter's vote shall be as follows —

(*i*) The vote shall be given by ballot

(*ii*) There shall be no voting by proxy

(*iii*) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

(*iv*) The polling officer shall dispose of any objections raised by candidates and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of the foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(*v*) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote, and after folding and closing the voting paper put it into the ballot box

(*vi*) On the request of a voter who through blindness or illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired in marking the vote on the voting paper and putting the voting paper into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

26 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

27 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or someone appointed by the said officer to take charge of it till the votes are counted The polling officer shall seal up the book of counterfoils and unused foil and keep it sealed in his own custody till it is destroyed under rule 34

Determination of results of elections

28 The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meeting

29 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

30 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine

31 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the results of elections the Government shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

32 The results of the elections shall be declared by the chairman of the meeting and shall be recorded in the minutes of the proceedings of the meeting

Custody and destruction of voting papers

33 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the municipal seal shall be kept by the municipal council in safe custody

34 On the expiry of fifteen days from the date of the declaration of the results of the elections or if any application regarding the elections is made to the District Judge under section 20 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days, then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the polling officer's custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of elections

35 The names of persons declared to have been elected under rules 15 and 32 shall be communicated with the least practicable delay to the Government for being notified in the *Mysore Gazette*

R RANGA RAO
Chief Secretary to Government

FORM A

(REFERRED TO IN RULE 13)

Form of application for candidature

Name of the division for which the candidate intends to stand for election	
Name of candidate	
Father's name	
Age	
Address	
Number of the candidate in the election roll	

Date Signature of candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore City Municipalities Regulation 1933 or the rules framed thereunder to be a candidate

Date Signature of candidate

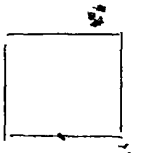
FORM B

(REFERRED TO IN RULE 21)

Counterfoil

Voting Paper No

Voter's number on Election Roll



Voter's signature or thumb impression

Foil

Voting Paper No

Serial No	Candidate's name	Candidate's symbol	Voter's mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elected is

(2) Place a cross mark thus × against the candidate / each of the candidates for whom you wish to vote

(3) The mark should be placed against not more than name. / names

APPENDIX

(REFERRED TO IN RULE 14)

Dated *193*

The Officer in charge of the Treasury

SIR

I have the honour to apprise you that I have authorised the Returning Officer of municipality to treat the sum of one hundred rupees deposited by me in the Savings Bank at your treasury as security to the municipality on behalf of myself/A B I agree that the same will not be payable to me until I shall produce to you the expres written sanction of the Returning Officer of municipality for payment of the same I have also agreed not to object to the payment by you of the whole or part of this deposit to the Returning Officer of municipality upon his claiming it and not to make any claim for interest from the date on which interest has ceased to accrue owing to the payment of the principal to the Returning Officer of municipality or from the date on which the Returning Officer of municipality shall have revoked the authority to your treasury to pay me/A B the interest.

I have the honour to be
SIR
Your most obedient servant

Place (Signature of Depositor)

Date (Designation of Depositor)

P td by th S p t d t G m t P B g l